

# DRAFT

## MINUTES

### UTAH STATE FIRE PREVENTION BOARD

SEPTEMBER 13, 2005

#### **BOARD MEMBERS PRESENT**

R. Lee Ellertson  
Ted Black  
Robert D. Fazzio  
D. Blair Camp  
Steven R. Hamblin  
Robert B. Stoker  
A. Joel Frandsen  
Tony J. Dearden

Board Chairman  
Board Vice Chairman  
Board Member  
Board Member  
Board Member  
Board Member  
Board Member  
Board Member

#### **BOARD MEMBERS ABSENT**

Gregory L. Allen  
Randal C. Haslam

#### **STAFF PRESENT**

Ron L. Morris  
Brent R. Halladay  
Joan Reed  
Deanne Mousley  
Troy Mills  
Michael Young  
Mark Burton

State Fire Marshal  
State Fire Marshal=s Office  
State Fire Marshal=s Office  
State Fire Marshal=s Office  
State Fire Marshal=s Office  
State Fire Marshal=s Office  
State Fire Marshal=s Office

Board meeting began at 8:40 AM with Acting Chairman D. Blair Camp conducting.

Item #1 on the agenda was Board meeting called to order and welcome to all by Acting Board Chairman Blair Camp. Acting Chairman Camp called the Board meeting to order and excused Commissioner Verdi White, and Board members Greg Allen and Randy Haslam.

Item #2 on the agenda was election of Chair and Vice Chair of the Board. Acting Board Chair Blair Camp entertained a motion for nomination for Chair for the Fire Prevention

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Board. Ted Black made a motion for Robert Fazzio, but he stated he could not do it as he did not have the time. Joel Frandsen made a motion for Commissioner Lee Ellertson and Steve Hamblin seconded it and all Board members voted in favor. Newly elected Chairman Ellertson entertained a motion for nomination for Vice Chair and Blair Camp nominated Chief Ted Black and Tony Dearden seconded it. All Board members voted in favor.

Item #3 on the agenda was approval of the July 12, 2005 Board meeting minutes. Board Chairman Lee Ellertson asked for any additions or corrections. Tony Dearden made a motion for the minutes to be approved as written and Ted Black seconded it and all Board members voted in favor.

Item #4 on the agenda was presentation to the Board by Verdi White, Department of Public Safety, on the continuing changes in the Department of Public Safety, Division of Homeland Security. Commissioner White was excused from the meeting. He was unable to attend due to his commitment at Camp Williams helping the Hurricane Katrina victims.

Item #5 on the agenda was presentation to the Board by Box Elder County Fire Marshal Gregg Martz, requesting the re-issuance of the unused \$15,307.50 of the \$35,000 Box Elder Regional Fire Training Facility Grant, 2003 – 2005. Chief Deputy Halladay stated that Fire Marshal Martz was in Idaho on a wildland fire and Mr. Blair Westergard was attending the meeting representing the Box Elder County firefighters. Chief Deputy Halladay also stated that he had distributed a copy of a letter to the Board members that had been written by Fire Marshal Martz. Mr. Westergard advised the Board members regarding the progress on the training center and what they had accomplished with the money they had received from the grant money previously and what they would be doing with the rest of the money when they receive it. Tony Dearden made a motion that the Board members reinstate the \$15,307.50 for Box Elder County and Ted Black seconded it and all Board members voted in favor.

Item #6 on the agenda was presentation to the Board by Troy Mills, Program Administrator, requesting the approval of four reappointments to the Utah Fire Service Certification Council. Troy stated that as part of the rules, it is required that the members of the certification council come before this Board to be appointed or reappointed. There are four members on the Council who have served a three year term and are up for renewal. They are Jeff Cox, Fire Chief, Fairview City, Randy Willden, Battalion Chief, Murray City, George Sumner, Fire Chief, South Metro Fire District and Corky Brewer, Fire Chief, Moab. The members on the Certification Council are appointed by the Director of the Fire & Rescue Academy and then the Fire Prevention Board approves the appointments. Troy stated that he was asking for the approval of the Fire Prevention Board to allow these four people to continue on for an additional three year term. Robert

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Stoker made a motion that these four people be reinstated on the Certification Council and Steve Hamblin seconded it and all Board members voted in favor.

Item #7 on the agenda was presentation to the Board by Chief Deputy Brent Halladay requesting the title change of two members of the Fire Advisory and Code Analysis Committee as requested by the Utah Building Codes Commission. Chief Deputy Halladay explained the purpose of the Fire Advisory and Code Analysis Committee and their duties for the new Board members. Brent distributed a partial copy of rule R710-9. Brent also explained that on the bottom of the third page in R710-9-7, it says Fire Advisory and Code Analysis Committee. There is a Committee that is made up of six people and is under the direct supervision of the Fire Prevention Board. This committee is to evaluate anything given from this Board with regard to Fire Prevention questions. This committee also comes together with a committee appointed by the Building Codes Commission and those two committees together form the Unified Code Analysis Council.

These committees will be dealing with the adoption of a new code in 2006, the International Fire and Building Codes will be coming next spring. On this committee Mr. Alan Hayward has been appointed to represent the Department of Human Services and Mr. William Bonn, the Architect for the Department of Health, has been on this committee. There was a problem that surfaced with the Building Codes Commission and they suggested that the Department of Health have a committee of their own made up of five members, and they did not understand that there was already a member from the Department of Health on the Fire Advisory and Code Analysis Committee. Dr. Sundwall and his administration expressed back to the Building Codes Commission they did not wish to form another committee and that Mr. Bonn was doing fine representing the Department of Health. The Building Codes Commission requested that it be made known that there were representatives on this committee from the Health Department and Human Services Department, so rule 7.2.4 and 7.2.6 has been changed to a representative from the Department of Human Services and the Department of Health. Brent read over the member's names of the Unified Code Analysis Council and he recommended that these changes be made and then submitted to Administrative Rules. Joel Frandsen made a motion that these changes be made to the rule as proposed and Robert Fazzio seconded it and all Board members voted in favor.

Item #8 on the agenda was presentation to the Board by Chief Deputy Brent Halladay, revisiting R710-9-6.7.8, with regard of allowing partial year use occupancies to only be required to service Automatic Fire Suppression Hood Systems once a year rather than semi-annually. Chief Deputy Halladay reported that at the last Fire Prevention Board meeting, there were a number of people that came and visited with the Board and a lot of recommendations were made, some objections were made and there was a motion made by the Board to take it back and work on it and bring it back to see if something could be worked out. Brent went over a couple of examples of what had been going on at the schools since his administrative decision to allow them only to service their hood systems

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once a year. From what he has heard from everyone it probably was not a good idea, even if they are in school nine months of the year and serving lunches, the hood system should be done twice a year and he has now instructed the Fire Marshal's Office to require semi-annual service. Brent realizes there are some facilities in Utah that are of minimal use, such as the Cougar Stadium which was brought forth as an example at the last Board meeting and another example of minimal use would be the Utah State Fair. Brent asked the Board to turn to the part of the rule under 6.7.8, and he read it out loud. Ted Black made a motion that this rule be amended with the word "consecutive" be added, so that the rule read where usage is limited and less than six consecutive months, and Robert Fazzio seconded it. Robert Stoker then asked whose jurisdiction the schools would be in and Chief Deputy Halladay stated that the schools were under the jurisdiction of the State Fire Marshal's Office and it will now be the rule that the traditional schools will be inspected twice a year instead of once a year. Tony Dearden made a motion that the rule will be adopted in its amended form and Robert Stoker seconded it. All Board members voted in favor.

Item #9 on the agenda was presentation to the Board by Troy Mills, Program Administrator, with regard to Accreditation of Fire Service Training Programs. This is for those fire and educational agencies teaching fire service training for profit and their students who are not affiliated with the Utah Fire & Rescue Academy. Troy reported that it has become an issue recently that there are several organizations around the state that are teaching fire service training classes, and are allowing non-affiliated participants to attend those classes at a nominal fee. One of the problems that has surfaced in dealing with this is that the current certification standards do not allow for someone who is not affiliated with a fire department to receive certification. The problem lies in that there are departments that will not accept an application from an individual unless they have the actual certification. After the participants finish the class and are tested, they are given a letter of eligibility which allows them to become certified, but the testing departments have not been willing to recognize that letter of eligibility in order to accept the applications. Troy wrote a memo explaining this information and also met with a Lieutenant from Peace Officer Standards & Training (POST) and talked about how they dealt with this. They also only issue a letter of eligibility for people who graduate from their programs and until that person is hired, they are not allowed to receive certification.

This has become a problem as a lot of the people are paying high prices for the training, and then after they have completed the training they are not allowed to submit an application to a department for a job. This puts a lot of pressure on the certification council, to allow those people to certify. What Troy proposes to address this issue is that the Board could possibly adopt a new rule which deals with fire service training and education and have this rule be specific to those things. Troy completed the draft of a new rule which he has proposed which will be R710-10 and will have the items that have been confusing. Troy read through the draft of the new proposed rule of the items he was proposing to improve the credibility of the program. Chief Deputy Halladay stated

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that this subject has been developing as an element of concern for quite some period of time. Brent informed that possibly the Board should look at having a new set of rules on firefighter training, since it has become a major portion and is by statute this Board's obligation from the Legislature, and it might be best to have it set aside in a separate set of rules where it can be easily found. There was a lengthy discussion among the Board members and audience regarding this matter. Chief Deputy Halladay stated as information for the Board, that this was brought to the meeting as a beginning document before the Board to seek approval from the Board for two things – the first one would be direction to move forward with this type of a problem and seek resolution, and the second would be to either keep it in R710-9 or seek forth a new set of rules. After another lengthy discussion among the Board members and audience, Chairman Ellertson asked the Board if they felt strong enough to move forward with this concept and Robert Stoker made a motion that the staff is authorized to proceed and Mr. Ted Black seconded it. All Board members voted in favor. Chairman Ellertson asked if the Board felt they needed a new section of the rules and Robert Stoker made a motion for a new section of the rules and Joel Frandsen seconded it. All Board members voted in favor.

Item #10 on the agenda was Old Business. Troy Mills gave an update to the Board on the consortium of Fire Officers Professional Development. The committee met to try to work out some of the details of how to proceed with this. The International Fire Chiefs developed some specific requirements for four different levels of designation as opposed to certification. The first one would be a Company Officer, the second would be Battalion Chief Level, third one would be Assistant Chief Level and then the fourth one would be the Fire Chief Level. This was brought before the Board before. Troy said that he would have this as an agenda item for next time and he just wanted the Board to be aware that an executive committee had been organized, and the State Fire Marshal had been asked and agreed to sit on that committee and there are five people who serve on it. The Executive Board would be someone who was a career Fire Chief, a volunteer Fire Chief representing volunteer combination departments, a representative from the Professional Firefighters of Utah and a representative of the State Firemen's Association. There still needs a lot of work done and Troy will bring the information to the Board at the next meeting.

Item #11 on the agenda was New Business. Chief Deputy Halladay gave the Board information he will be leaving for the City of Detroit on September 28<sup>th</sup> and will be returning on October 3<sup>rd</sup>. This will be the final code hearings and final action hearings for the enactment of the International Code Council documents for the 2006 edition. There are a number of Building Officials going back. Also there are changes in the State Fire Marshal's Office and he had been given additional responsibilities. Brent has asked Mr. Troy Mills to assist him as a rule writer for Administrative Rules and Brent will be teaching him and he will be going through the proper procedures to learn how.

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Item #12 on the agenda was next Board meeting. The next meeting will be held on November 8, 2005, at 8:30 AM at the South Salt Lake City Council Chambers. Chairman Lee Ellertson made a motion to adjourn, and Robert Fazzio seconded it. All Board members voted in favor and the meeting was adjourned.